

# PUBLIC NOTICE

**PERMIT APPLICATION:** NRS #04.229

**APPLICANT:** State of Tennessee  
Department of Transportation  
Environmental Planning and Permits Division  
Suite 900, J. K. Polk Bldg.  
505 Deaderick Street  
Nashville, TN 37243-0334  
615/253-2477

**LOCATION:** State Route 35 from southwest of Salem Community to east of Greene County Line.  
Cocke County

**WATERSHED DESCRIPTION:** The Clear Creek watershed consists of small spring fed tributaries and narrow wetlands. Land use is predominantly agricultural. The affected tributaries are primarily silt/gravel bottomed and vary approximately 4 to 6 feet wide with 2 – 4 foot banks. The existing vegetation along the stream channel is mainly black willow, locust, and low herbaceous.

**PROJECT DESCRIPTION:** The applicant proposes to construct 4.063 miles of SR-35 along a new alignment. This would involve the stream encapsulations and relocations.

**Station 10+663+/-:** Unnamed tributary to Clear Creek. Existing conditions include 482 ft. of open stream channel. The applicant proposes to relocate 23 ft. of open channel plus 26 ft. of riprap and the installation of 370 ft. of 6 ft. X 5 ft. concrete box culvert.

**Station 11+736:** South Fork Creek. The applicant proposes to install 331 ft. of 2 @ 14 ft. X 10 ft. concrete slab bridge over 341 ft. of open channel resulting in a loss of 10 ft. of stream length.

**Station 12+257+/- (Lt.) to Sta. 12+356+/- (Rt.):** North Fork Clear Creek. Existing conditions consist of 387 ft. of open stream. The applicant proposes to install 200 ft. of 12 ft. X 6 ft. box culvert with 30 ft. of riprap at the outlet and the relocation of 213 ft. of open channel.

**Station 17+285+/- (Rt.) to Sta. 17+363+/- (Lt.):** Unnamed tributary to Nolichucky River. Existing conditions consist of 344 ft. of open stream and 164 ft. of box culvert. The applicant proposes removal of the existing culvert and installation of 424 ft. of 6 ft. X 6 ft. box culvert and 13 ft. of riprap lined channel.

The applicant proposes to mitigate for 1496 ft. of stream impacts, not mitigated on site, by paying \$299,200.00 to the Tennessee Wildlife Resources Foundation for the In-lieu Fee Stream Mitigation Program. Standard erosion control devices would be used to prevent sediment from entering flowing water. Upon completion of the work, all disturbed areas would be stabilized.

**PERMIT COORDINATOR:** Brian Canada, STATE OF TENNESSEE, Department of Environment and Conservation Division of Water Pollution Control, 7<sup>th</sup> Floor, L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1534

**USGS TOPOGRAPHIC QUADRANGLE:** Parrottsville, TN (172-SE).

**TO WHOM IT MAY CONCERN:** The application described above has been submitted for an Aquatic Resource Alteration Permit pursuant to *The Tennessee Water Quality Control Act of 1977*, T.C.A. §69-3-108.

The purpose of this notice is to advise all concerned of the proposal for which a permit is sought, and to solicit comments and information necessary to evaluate the probable impact of the activities upon the respective water resources. The decision whether to issue or deny will in part be based upon that evaluation. All factors that may be relevant to the proposals will be considered.

Persons wishing to comment on or object to the issuance of a proposed permit are invited to submit comments in writing to the Department of Environment and Conservation Division of Water Pollution Control at the address listed above. Written statements received in this office on or before the date of expiration of the comment period thirty days from the publication date of this notice will become part of the record and will be considered in the determination. The applicant's name and permit number should be referenced.

Interested persons may also request in writing that the director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the person requesting it, and the reasons that the hearing is warranted. When there is sufficient public interest, the director shall hold a hearing in accordance with Rule 1200-4-7-.04(4)(f).

After consideration of comments submitted during the public comment period, the hearing record if any, and the requirements of federal and State law, the director of the Division will make determinations regarding the final action on each permit. Permit applications, supporting documentation, and related comments are available for review and/or copying.



